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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,764	02/27/2001	William Joseph Reid		1375
27599	7590	02/02/2005		
NETP&L, INC. 1385 SAGEBROOK DRIVE FAIRVIEW, TX 75069				
			EXAMINER PATEL, JAGDISH	
			ART UNIT 3624	PAPER NUMBER

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,764

Applicant(s)

REID, WILLIAM JOSEPH

Examiner

JAGDISH PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-4 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Examiner attempted to contact the applicant at Telephone: (469)424-1727 for election over the phone but could not reach the applicant (pro se).

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

In the instant case, the claimed the application is directed to the following distinct inventions as explained below.

Invention I: claim 1 is directed to a method for achieving a most favored risk management using a computer-based system.

Invention II: claim 2 is directed to a method of risk management that provides investment comparison of insurance and computer-based technology alternatives.

Invention III: claim 3 is directed to a method of risk management that expresses risks to company assets in common currency.

Invention IV: claim 4 is directed to a method of expressing risk coverage of one or more computer-based technologies into common currency.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I through IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

3. The inventions are distinct if it can be shown that a combination as claimed:

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(A) does not require the particulars of the subcombination as claimed for patentability (to show novelty and unobviousness), and

(B) the subcombination can be shown to have utility either by itself or in other and different relations.

Invention I (Claim 1) is distinct from each of inventions II-IV (Claims 2-4) because it does not require the following particulars of inventions II-IV.

Means of expressing risk coverage of one or more computer-based technologies into common currency per claim 2 of invention II.

Means of determining the flow of a Company's computer-based transactions and ranking them by risk expressed in common currency per claim 3 of invention III.

Means of establishing a baseline of network risk through a vulnerability study per claim 4 of invention IV.

Invention II (Claim 2) is distinct from each of inventions I, III and IV (Claims 1, 3-4) because it does not require the following particulars of inventions I, III and IV.

Means of providing risk management insurance policy coverage of at least Breach of Computer Security of the "Computer-Based System" per claim 1 of invention I.

Means of determining the flow of a Company's computer-based transactions and ranking them by risk expressed in common currency per claim 3 of invention III.

Means of establishing a baseline of network risk through a vulnerability study per claim 4 of invention IV.

Invention III (Claim 3) is distinct from each of inventions I, II and IV (Claims 1-2 and 4) because it does not require the following particulars of inventions I, II and IV.

Means of providing risk management insurance policy coverage of at least Breach of Computer Security of the "Computer-Based System" per claim 1 of invention I.

Means of expressing risk coverage of one or more computer-based technologies into common currency per claim 2 of invention II.

Means of establishing a baseline of network risk through a vulnerability study per claim 4 of invention IV.

Invention IV (Claim 4) is distinct from each of inventions I-III (Claims 1-3) because it does not require the following particulars of inventions I-III.

Means of providing risk management insurance policy coverage of at least Breach of Computer Security of the "Computer-Based System" per claim 1 of invention I.

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Means of expressing risk coverage of one or more computer-based technologies into common currency per claim 2 of invention II.

Means of determining the flow of a Company's computer-based transactions and ranking them by risk expressed in common currency per claim 3 of invention III.

4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for any of the Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

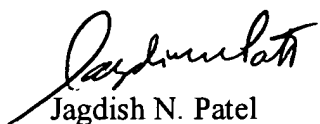
Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837.

The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

01/31/05